

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48500 of 2021

Arising Out of PS. Case No.-117 Year-2018 Thana- KALUAHI District- Madhubani

MD. RIZWAN SAH @ MD. RIZWAN S/O LATE SULEMAN SAH R/o
village- Keota Fakir Tole, P.S.- Kaluani, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anuj Kumar
	:	Mr.Priyanka Singh
	:	Mr.Madahav Raj
	:	Mr.Shyam Kishore
For the Opposite Party/s	:	Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 15-09-2021 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail in connection with Sessions Trial No. 36 of 2020 arises out of Kaluani P.S. Case No. 117 of 2018 registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

The petitioner is in custody since 21.11.2018. This is his third attempt by making this application for his release on regular bail. Earlier, vide order dated 16.06.2020 passed in Cr. Misc. No. 9376 of 2020, while rejecting the petitioner's prayer for regular bail second time, it was observed that if the trial was



not concluded within one year from the said date, the petitioner would be at liberty to renew his prayer for regular bail. Accordingly, this application has been preferred.

Mr. Yogesh Chandra Verma, learned Senior counsel appearing on behalf of the petitioner has submitted that there is no substantial progress at the trial and only one witness has been examined at the trial. He has further submitted that it is evident from the First Information Report that dispute over family partition is in the background of the occurrence.

Considering the submissions so advanced on behalf of the petitioner and the fact that he has remained in custody since 21.11.2018, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-X, Madhubani in Sessions Trial No. 36 of 2020 arises out of Kaluani P.S. Case No. 117 of 2018.

(Chakradhari Sharan Singh, J)

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